

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA §
§
v. § CRIMINAL NO. H-15-263
ASHER ABID KHAN, §
Defendant §

UNITED STATES' MOTION FOR RESENTENCING OF DEFENDANT

TO THE HONORABLE JUDGE OF SAID COURT:

The United States of America, by and through Ryan K. Patrick, United States Attorney in and for the Southern District of Texas, and Carolyn Ferko, and Alamdar S. Hamdani, Assistant United States Attorneys, files this motion for resentencing.

On September 16, 2019, the Fifth Circuit Court of Appeals vacated Asher Khan's sentence of eighteen months and remanded the case for resentencing. *United States v. Khan*, 938 F.3d 713, 719 (5th Cir. 2019). On September 18, 2019, this Court issued an order requesting from the parties a brief on the law affecting resentencing, and set a hearing for November 20, 2019 to discuss that briefing.

The United States requests that the Court schedule Khan's resentencing also for November 20, 2019 to follow the already scheduled hearing regarding the above mentioned briefs.

Counsel for the defendant was conferred regarding this motion and defense counsel is requesting a date in mid-December for his client's resentencing.

.

Respectfully Submitted,

RYAN K. PATRICK
UNITED STATES ATTORNEY

S:\ Carolyn Ferko
CAROLYN FERKO
Assistant United States Attorney
United States Attorney's Office
Southern District of Texas
1000 Louisiana St., Ste. 2300
Houston, Texas 77002
(713) 567-9562

S:\ Alamdar S. Hamdani
ALAMDAR S. HAMDANI
Assistant United States Attorney
United States Attorney's Office
Southern District of Texas
1000 Louisiana St., Ste. 2300
Houston, Texas 77002
(713) 567-9503

CERTIFICATE OF CONFERENCE

The United States has conferred with counsel for Khan, David Adler, and is requesting a mid-December date rather than the requested day of November 20, 2019.

CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2019, a true and correct copy of the foregoing has been emailed to David Adler, counsel of record for the defendant, as well as Chris Hopkins with U.S. Probation.

RYAN K. PATRICK
UNITED STATES ATTORNEY

S:\Carolyn Ferko
CAROLYN FERKO
Assistant United States Attorney
United States Attorney's Office
Southern District of Texas
1000 Louisiana St., Ste. 2300
Houston, Texas 77002
(713) 567-9562

S:\Alamdar S. Hamdani
ALAMDAR S. HAMDANI
Assistant United States Attorney
United States Attorney's Office
Southern District of Texas
1000 Louisiana St., Ste. 2300
Houston, Texas 77002
(713) 567-9503